



January 27, 2006

HOUSE BILL No. 1344

DIGEST OF HB 1344 (Updated January 26, 2006 10:39 am - DI 73)

Citations Affected: Noncode.

Synopsis: Government consolidation in Vanderburgh County. Establishes the Vanderburgh County government efficiency commission (commission) to study government consolidation in Evansville and Vanderburgh County. Provides that the commission consists of the following members: (1) The mayor of the city of Evansville or the mayor's designee. (2) Two members of the common council of the city of Evansville, who must be members of different political parties, appointed by the majority vote of the common council. (3) One member of the Vanderburgh County board of commissioners, appointed by the majority vote of the board of commissioners. (4) Two members of the Vanderburgh County council, who must be members of different political parties, appointed by the majority vote of the county council. (5) Three residents of Vanderburgh County appointed by the president of the Vanderburgh County council and three residents of Vanderburgh County appointed by the president of the Vanderburgh County council. Provides that the chairman of the commission is elected by members of the commission. Provides that the following individuals serve as nonvoting advisors to the commission: (1) The Vanderburgh County sheriff or the sheriff's designee. (2) The chief of

(Continued next page)

Effective: July 1, 2006.

Hinkle

January 12, 2006, read first time and referred to Committee on Government and Regulatory Reform.
January 26, 2006, amended, reported — Do Pass.

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the police department of Evansville or the chief's designee. (3) The chief of the fire department of Evansville or the chief's designee. (4) The chief or other officer in charge of a volunteer fire department in Vanderburgh County, appointed by majority vote of all chiefs or other officers in charge of all volunteer fire departments in Vanderburgh County. (5) An elected township assessor, appointed by majority vote of all elected township assessors in Vanderburgh County. (6) An elected township trustee, appointed by majority vote of all elected township trustees in Vanderburgh County. Prohibits the chairman of the commission from calling a meeting unless the voters of Vanderburgh County vote in favor of the continued study of consolidation in a nonbinding local public question held in the 2006 general election.

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January 27, 2006

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

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HOUSE BILL No. 1344

A BILL FOR AN ACT concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. [EFFECTIVE JULY 1, 2006] (a) As used in this
2 SECTION, "commission" refers to the Vanderburgh County
3 government efficiency commission established by subsection (b).
4 (b) The Vanderburgh County government efficiency
5 commission is established.
6 (c) The commission consists of the following members:
7 (1) The mayor of the city of Evansville or the mayor's
8 designee.
9 (2) Two (2) members of the common council of the city of
10 Evansville, who must be members of different political
11 parties, appointed by the majority vote of the common
12 council.
13 (3) One (1) member of the Vanderburgh County board of
14 commissioners, appointed by the majority vote of the board
15 of commissioners.
16 (4) Two (2) members of the Vanderburgh County council,
17 who must be members of different political parties, appointed

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by the majority vote of the county council.

(5) Six (6) residents of Vanderburgh County appointed as follows:

(A) Three (3) individuals appointed by the president of the Vanderburgh County council, not more than two (2) of whom may be members of the same political party.

(B) Three (3) individuals appointed by the president of the Vanderburgh County board of commissioners, not more than two (2) of whom may be members of the same political party.

(d) The following individuals shall serve as nonvoting advisers to the commission:

(1) The Vanderburgh County sheriff or the sheriff's designee.

(2) The chief of the police department of the city of Evansville or the chief's designee.

(3) The chief of the fire department of the city of Evansville or the chief's designee.

(4) The chief or other officer in charge of a volunteer fire department in Vanderburgh County, appointed by the majority vote of all chiefs or other officers in charge of all volunteer fire departments in Vanderburgh County.

(5) An elected township assessor for a township in Vanderburgh County, appointed by the majority vote of all elected township assessors in Vanderburgh County.

(6) An elected township trustee for a township in Vanderburgh County, appointed by the majority vote of all elected township trustees in Vanderburgh County.

(e) The members described in subsection (c) may not be appointed until after December 31, 2006.

(f) After January 1 but before February 1 of each year, the members of the commission shall elect one (1) member of the commission to serve as its chairperson during the calendar year in which the designation is made.

(g) The commission shall meet upon the call of the chairperson. However, the chairperson may not call for a meeting of the commission to be held before January 1, 2007.

(h) The chairperson may not call for a meeting of the commission unless a majority of the voters voting on a local public question placed on the ballot in Vanderburgh County vote in favor of the general assembly continuing to study consolidation in Vanderburgh County.

(i) A quorum of the commission must be present to conduct

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1 business. A quorum consists of a majority of the members
2 appointed to the commission.

3 (j) The commission may not take an official action unless the
4 official action has been approved by at least a majority of the
5 members appointed to serve on the commission.

6 (k) The commission shall study:

7 (1) unifying city and county government in Vanderburgh
8 County; and

9 (2) whether the efficiency of local government in
10 Vanderburgh County may be improved by consolidating:

11 (A) the functions of any office or governmental department
12 located in Vanderburgh County; or

13 (B) any service or program provided by a unit of local
14 government in Vanderburgh County;

15 (l) The commission may make recommendations to the general
16 assembly concerning either or both of the following:

17 (1) Whether the general assembly should unify city and
18 county government in Vanderburgh County.

19 (2) Whether:

20 (A) the functions of any office or governmental department
21 located in Vanderburgh County; or

22 (B) the administration of any service or program provided
23 by a unit of local government in Vanderburgh County;
24 should be consolidated.

25 (m) If the commission makes a recommendation under
26 subsection (l), the commission shall recommend legislation to the
27 general assembly that would implement the recommendation.

28 (n) The commission shall provide its final recommendations to
29 the legislative council in an electronic format under IC 5-14-6
30 before November 1, 2007.

31 (o) This SECTION expires December 1, 2007.

32 SECTION 2. [EFFECTIVE JULY 1, 2006] (a) This SECTION
33 applies only to Vanderburgh County.

34 (b) The definitions in IC 36-1-2 apply throughout this
35 SECTION.

36 (c) As used in this SECTION, "commission" means the
37 Vanderburgh County government efficiency commission
38 established by SECTION 1 of this act.

39 (d) The county election board shall place the following question
40 on the ballot in the county during the 2006 general election:

41 "Should a commission consisting of representatives of
42 Vanderburgh County and the city of Evansville complete

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studies of merging the governments of Vanderburgh County and the city of Evansville and submit the commission's final recommendations to the voters not later than 2008?".

(e) The county election board shall print the following immediately below the public question stated in subsection (d):

"The vote on this public question is advisory only. The result of the vote on this public question is not binding on the general assembly or any public official."

(f) A public question under this SECTION shall be placed on the ballot in accordance with IC 3-10-9 and must be certified in accordance with IC 3-10-9-3.

(g) The clerk of the circuit court of the county holding an election under this SECTION shall certify the results determined under IC 3-12-4-9 to the legislative council before January 1, 2007.

(h) This SECTION may not be construed to confer any additional powers or duties upon the following officials in Vanderburgh County:

- (1) The mayor of the city of Evansville.
- (2) The legislative body of the city of Evansville.
- (3) The Vanderburgh County executive body.
- (4) The Vanderburgh County fiscal body.

(i) This SECTION may not be construed to make any changes to the form of local government in Vanderburgh County.

(j) If a majority of the voters voting on the public question held under this SECTION vote in favor of the general assembly continuing to study government consolidation in Vanderburgh County, the chairperson of the commission shall call for a meeting of the commission to begin the study required under SECTION 1 of this act.

(k) This SECTION expires August 1, 2007.

SECTION 3. [EFFECTIVE JULY 1, 2006] (a) Vanderburgh County is uniquely positioned to take advantage of any efficiencies and opportunities presented by government consolidation because of the large proportion of the county's area and population that is already subject to the jurisdiction of the city of Evansville. These special circumstances require legislation particular to Vanderburgh County.

(b) This SECTION expires January 1, 2008.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1344, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 6, delete "nineteen (19)".

Page 1, delete lines 8 through 18, begin a new line block indented and insert:

"(1) The mayor of the city of Evansville or the mayor's designee.

(2) Two (2) members of the common council of the city of Evansville, who must be members of different political parties, appointed by the majority vote of the common council.

(3) One (1) member of the Vanderburgh County board of commissioners, appointed by the majority vote of the board of commissioners.

(4) Two (2) members of the Vanderburgh County council, who must be members of different political parties, appointed by the majority vote of the county council.

(5) Six (6) residents of Vanderburgh County appointed as follows:

(A) Three (3) individuals appointed by the president of the Vanderburgh County council, not more than two (2) of whom may be members of the same political party.

(B) Three (3) individuals appointed by the president of the Vanderburgh County board of commissioners, not more than two (2) of whom may be members of the same political party.

(d) The following individuals shall serve as nonvoting advisers to the commission:

(1) The Vanderburgh County sheriff or the sheriff's designee.

(2) The chief of the police department of the city of Evansville or the chief's designee.

(3) The chief of the fire department of the city of Evansville or the chief's designee.

(4) The chief or other officer in charge of a volunteer fire department in Vanderburgh County, appointed by the majority vote of all chiefs or other officers in charge of all volunteer fire departments in Vanderburgh County.

(5) An elected township assessor for a township in Vanderburgh County, appointed by the majority vote of all

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elected township assessors in Vanderburgh County.

(6) An elected township trustee for a township in Vanderburgh County, appointed by the majority vote of all elected township trustees in Vanderburgh County."

Page 2, delete lines 1 through 17.

Page 2, line 18, delete "(d)" and insert "(e)".

Page 2, line 20, delete "(e)" and insert "(f)".

Page 2, line 21, delete "chairman of the legislative council shall designate" and insert **"members of the commission shall elect"**.

Page 2, line 24, delete "(f)" and insert "(g)".

Page 2, line 27, delete "(g)" and insert "(h)".

Page 2, delete lines 32 through 33.

Page 3, delete lines 33 through 38, begin a new line block indented and insert:

"Should a commission consisting of representatives of Vanderburgh County and the city of Evansville complete studies of merging the governments of Vanderburgh County and the city of Evansville and submit the commission's final recommendations to the voters not later than 2008?"."

and when so amended that said bill do pass.

(Reference is to HB 1344 as introduced.)

BUCK, Chair

Committee Vote: yeas 9, nays 0.

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